

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**VIRGIL WARD,  
ADC #083291**

**PLAINTIFF**

**v.**

**CASE NO. 4:18-CV-00717 BSM**

**LT. SMITH, et al.,  
North Central Unit, ADC**

**DEFENDANTS**

**ORDER**

The proposed findings and recommendations submitted by United States Magistrate Judge Jerome T. Kearney [Doc. No. 6] have been reviewed. No objections were received. After careful review of the record, the proposed findings and recommendations are adopted in their entirety. Accordingly, Virgil Ward's complaint is dismissed for failure to state a claim upon which relief may be granted. The dismissal of this case shall be counted as a strike, pursuant to 28 U.S.C. section 1915(g). It is hereby certified, pursuant to 28 U.S.C. section 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

IT IS SO ORDERED this 20th day of November 2018.

  
UNITED STATES DISTRICT JUDGE